

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
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FOR THE SOUTHERN DISTRICT OF NEW YORK

KINGS ROAD HOLDINGS VIII LTD, )  
and KINGS ROAD INVESTMENTS LTD, )  
)  
Plaintiffs, )  
)  
v. ) 1:12-cv-08657-RWS  
 ) ECF case  
)  
PAUL A. MOORE; )  
RED CANYON ADVISORS, LLC; )  
MOORE INVESTMENTS, INC.; and )  
RED CANYON ADVISORS, LLC; )  
Defendants )

**DECLARATION OF W. MURLEY PALMER, ESQ. IN SUPPORT OF**  
**REQUEST FOR ENTRY OF DEFAULT AS TO**  
**DEFENDANT MBC GLOBAL, LLC**

1. I am counsel for the Plaintiffs in this matter.
2. Defendant MBC Global, LLC was named as a defendant through the filing of the Complaint on November 27, 2012. (DE # 1.)
3. I provided to the Office of the Clerk of this Court a captioned summons addressed to MBC Global, LLC as a defendant, within which I had provided my name and address as the plaintiffs' attorney upon whom to serve an answer or motion. This summons was signed and sealed by a Deputy Clerk and returned to me, after which time I provided a copy of the summons and of the Complaint, SDNY ECF Rules & Instructions, and Individual Practices of Judge Robert W. Sweet (collectively "the service papers"), to the process server to serve.
4. The process server conveyed to me that on March 11, 2013, MBC Global, LLC

had been served through service of the service papers that day upon the Illinois Secretary of State as its irrecoverably appointed agent (including as part of that service further mailing copies of same to the defendant as specified), as provided by FED. R. Civ. P. 4(h)(1)(B) and the Illinois Limited Liability Company Act (in that the process server was not able to deliver the service package to the registered agent of record of the defendant at the address of record, as the registered agent had abandoned or otherwise left that address).

5. In that it is a limited liability company, and thus a legal entity (and not a person), MBC Global is not: an infant, in the military or an incompetent person.

6. I have never entered into a stipulation on behalf of my clients, the Plaintiffs, regarding extending the time for MBC Global to answer or otherwise respond to the complaint.

I hereby declare under the penalties of the laws of the United States that the foregoing statements are true and accurate.

/s W. Murley Palmer

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W. Murley Palmer, Esq.

DATED: April 15, 2013